

Attorney Docket No. 3404 P 005



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Continuation-in-Part Application of:

Peter K. Kassab

Serial No. 09/901,472

Filed July 9, 2001

Entitled: VINYL FILM INTERMEDIARY

)  
) Examiner: Steven D. Maki

)  
) Art Unit: 1733

)  
) Confirmation No. 6545

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. §1.321(c))**

**RECEIVED**

**MAR 08 2004**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Paul J. Nykaza, represent that I am an attorney of record for this application. The present owner of the entire interest in the parent application is Lemeer Design, L.L.C. ("Disclaimant"), an Illinois limited liability company having its principal place of business at 1122 West Newport Avenue, Unit 1D, Chicago, Illinois 60657. The Assignment of the parent application was duly recorded on March 8, 2001, in the PTO at Reel 11598, Frame 0644.

In response to the Office Action mailed September 25, 2003, Disclaimant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term, as defined in 35 U.S.C. §§154 to 156, of prior Serial No. 09/283,345 filed March 31, 1999, which issued July 10, 2001, as U.S. Patent No. 6,258,200. Disclaimant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period

that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The present Terminal Disclaimer is accompanied by the statutory fee of \$55.00, as set forth in 37 C.F.R. §1.20(d). The Commissioner is hereby authorized to charge any deficit in fees to Deposit Account No. 23-0280.

Respectfully submitted,

Date: February 25, 2004

By: Paul J. Nykaza  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with first class postage prepaid in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 25, 2004.

Robert Holland  
Robert Holland

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